

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STREAM INTERNATIONAL GLOBAL SERVICES
PHILIPPINES, INC.

Petitioner,

v.

PEEK, INC.

Respondent,

Case No. 13-CV-9072

and

PROCLIVITY MEDIA, INC.

Garnishee-Respondent
-----X

VERIFIED ANSWER

Respondent, Proclivity Media, Inc. (the “Answering Respondent”), by and through its attorneys, BRONSON LAW OFFICES, P.C., answers Petitioner’s verified petition as follows:

1. Denies knowledge or information sufficient to form a belief as to the allegations stated in paragraphs 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22 and 23.
2. Admits the allegations stated in paragraphs 3.
3. Denies knowledge or information sufficient to form a belief as to the allegations stated in paragraph 5, except admits that it maintains a principal place of business in the District.
4. Denies knowledge or information sufficient to form a belief as to the allegations stated in paragraph 16 that pertain to any knowledge or information held by third parties. Denies the remaining allegations stated in paragraph 16, except admits that it occupied premises at the physical location indicated.

5. Admits the allegations stated in paragraph 17, except denies knowledge or information sufficient to form a belief as to the time that the notice referred to therein was served.

6. Admits the allegations stated in paragraphs 18, 19 and 20.

7. Denies knowledge or information sufficient to form a belief as to the allegations stated in paragraph 24 that pertain to any knowledge or information held by third parties, and denies the remaining allegations stated in paragraph 24

8. Denies the allegations stated in paragraphs 21, 28, 29, 30, 34, 37, 38, 39, 41 and 42.

FIRST AFFIRMATIVE DEFENSE

9. The complaint fails to state a claim against Answering Respondent upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

10. Answering Respondent is neither in possession nor custody of any money or other personal property in which Petitioner has an interest.

THIRD AFFIRMATIVE DEFENSE

11. Answering respondent is not a transferee of money or other personal property from the Respondent Peek, Inc.

FOURTH AFFIRMATIVE DEFENSE

12. Answering Respondent is not indebted to Respondent Peek, Inc. on any matured debt.

WHEREFORE, Proclivity Media, Inc. requests the following relief from this Court:

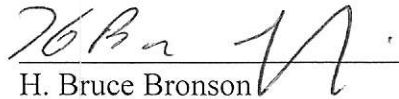
- a. Judgment in favor of Answering Respondent, dismissing the Petition in its entirety;

- b. Judgment in its favor against Respondent, Peek, Inc. for all sums that may be adjudged against Answering Respondent in favor of Petitioner or any other party;
- c. Judgment awarding Proclivity Media, Inc. attorneys fee and the costs of this action; and
- d. Such other relief that this Court deems just and proper.

Dated: Harrison, New York
February 14, 2014

BRONSON LAW OFFICES, P.C.

By:



H. Bruce Bronson
Attorneys for Answering Respondent
Proclivity Media, Inc.
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Harrison, NY 10528
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To:

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VERIFICATION

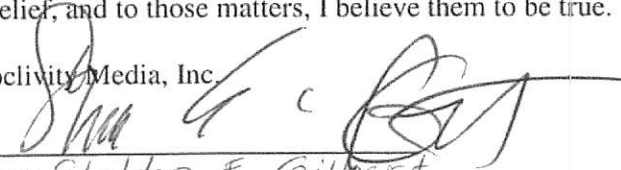
STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

The undersigned, an authorized officer of the respondent, Proclivity Media, Inc., being duly sworn, deposes and says:

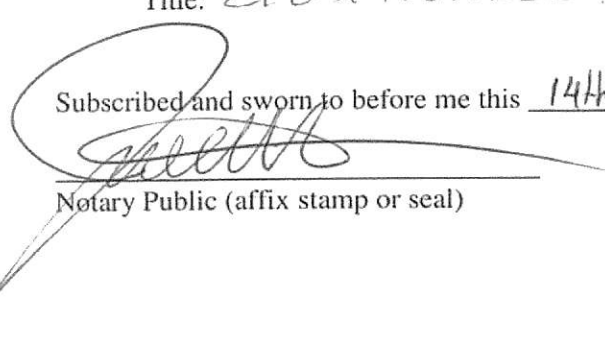
1. I am an authorized representative of Proclivity Media, Inc., which is named as a garnishee-respondent in this action.
2. I have read the foregoing Answer, know the contents thereof, and believe them to be true to the best of my knowledge, except as to those matters stated on information and belief, and to those matters, I believe them to be true.

Proclivity Media, Inc.

By:


Name: Sheldon F. Gilbert
Title: CEO & FOUNDER

Subscribed and sworn to before me this 14th day of February, 2014:


Notary Public (affix stamp or seal)

JUSTIN VILLALBA
Notary Public, State of New York
Qualified in Bronx County
NO. 01V16227015
My Commission Expires 08-23-2014